

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT SCHOELZEL,

No. C v-08-3113 EDL

Plaintiff(s),

ASBESTOS DEFENDANTS, ET AL.

**DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE
AND
REQUEST FOR REASSIGNMENT TO A
UNITED STATES DISTRICT JUDGE**

Defendant(s).

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: 7-17-08

Signature

Counsel for Plaintiff-Schoelzel
(Plaintiff, Defendant, or indicate "pro se")

1 **PROOF OF SERVICE**
2

3 I am employed in the County of Marin, State of California. I am over the age of 18
4 years and am not a party to the within action. My business address is 222 Rush Landing Road,
5 Novato, California 94948-6169.

6 On July 17, 2008 I served the attached:
7

8 **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND
9 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

10 **Robert Schoelzel v. Asbestos Defs.
11 U.S.D.C -Northern Dist. Case No CV 08-3113**

12 on the interested parties in this action by transmitting a true copy thereof in a sealed envelope,
13 and each envelope addressed as follows:

14 **CARRIER CORPORATION**

15 Evan C. Nelson, Esq.

16 Lillian C. Ma, Esq.

17 Tucker Ellis & West LLP
18 135 Main Street, Ste. 700
19 San Francisco, CA 94105
(415) 617-2400

20 **XXX BY OFFICE MAILING:** I am readily familiar with this office's practice of
21 collection and processing correspondence, pleadings and other matters for
22 mailing with the United States Postal Service on that same day with postage
23 thereon fully prepaid at Novato, California in the ordinary course of business. I
24 placed in the outgoing office mail, the above-described document(s), in a
25 sealed envelope, addressed to the party(ies) as stated above, for collection and
26 processing for mailing the same day in accordance with ordinary office
27 practices.

28 Executed this **July 17, 2008** at Novato, California.

29 I declare under penalty of perjury under the laws of the State of California that the
30 foregoing is true and correct.

31 **JANE A. EHNI**
32